

LEGISLATIVE BILL 232

Approved by the Governor May 22, 2009

Introduced by Nordquist, 7; Cook, 13; Council, 11; Karpisek, 32; Rogert, 16.

FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-177, Reissue Revised Statutes of Nebraska, and section 53-101, Revised Statutes Cumulative Supplement, 2008; to permit the sale of alcoholic liquor by community college culinary education programs as prescribed; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 53-101, Revised Statutes Cumulative Supplement, 2008, is amended to read:

53-101 Sections 53-101 to 53-1,122 and section 2 of this act shall be known and may be cited as the Nebraska Liquor Control Act.

Sec. 2. A community college which offers a culinary education program may obtain a catering license under this section upon applying for and receiving a Class I license under the Nebraska Liquor Control Act. The catering license shall be issued for the same period and may be renewed in the same manner as the Class I license.

A community college holding a catering license and a Class I license under the act may sell alcoholic beverages only (1) at events held by such culinary education program on the campus of the community college or (2) at events catered by such culinary education program as part of the requirements of such program.

Sec. 3. Section 53-177, Reissue Revised Statutes of Nebraska, is amended to read:

53-177 (1) No license shall be issued for the sale at retail of any alcoholic liquor within one hundred and fifty feet of any church, school, hospital, or home for aged or indigent persons or for veterans, their wives or children. This prohibition does not apply (a) to any location within such distance of one hundred and fifty feet for which a license to sell alcoholic liquor at retail has been granted by the Nebraska Liquor Control Commission for two years continuously prior to making of application for license and (b) to hotels offering restaurant service, to regularly organized clubs, or to restaurants, food shops, or other places where sale of alcoholic liquor is not the principal business carried on, if such place of business so exempted was established for such purposes prior to May 24, 1935.

(2) No alcoholic liquor, other than beer, shall be sold for consumption on the premises within three hundred feet from the campus of any college or university in the state, except that this section:

(a) Does ~~does~~ not prohibit a nonpublic college or university from contracting with an individual or corporation holding a license to sell alcoholic liquor at retail for the purpose of selling alcoholic liquor at retail on the campus of such college or university at events sanctioned by such college or university but does prohibit the sale of alcoholic liquor at retail by such licensee on the campus of such nonpublic college or university at student activities or events; and-

(b) Does not prohibit sales of alcoholic liquor by a community college culinary education program pursuant to section 2 of this act.

Sec. 4. Original section 53-177, Reissue Revised Statutes of Nebraska, and section 53-101, Revised Statutes Cumulative Supplement, 2008, are repealed.